

HOUSE No. 2093

By Mr. Buffone of Worcester, petition of Charles J. Buffone for legislation to prohibit certain requirements for indemnity in the construction industry. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT TO BAR CERTAIN REQUIREMENTS FOR INDEMNITY IN THE CONSTRUCTION INDUSTRY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Amend Chapter 149 by adding the following Section 29B after
- 2 Section 29A:
- 3 *Section 29B.* Any covenant, promise, agreement or understand-
- 4 ding in or in connection with or collateral to a contract or
- 5 agreement relative to the construction, alteration, repair or
- 6 maintenance of a building, structure, highway, appurtenance and
- 7 appliance, including purporting to indemnify or hold harmless the
- 8 promisee or indemnitee against liability for damage arising out
- 9 of bodily injury to persons or damage to property caused by or
- 10 resulting from the negligence of the promisee, his agents or
- 11 employees, or indemnitee, and any covenant, promise, agreement
- 12 or understanding to insure or name as an insured the promisee or
- 13 indemnitee against any such liability under any contract of
- 14 insurance by the promisor, is against public policy and is void and
- 15 unenforceable.

